

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

REC'D 31 OCT 2005

PCT WIPO

PCT

To:  
CHRISTOPHER OLSON  
TRANSFORM PHARMACEUTICALS, INC.  
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LEXINGTON, MA 02421

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

28 OCT 2005

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**FOR FURTHER ACTION**

See paragraph 2 below

TPIP054/WO

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/US05/12686

14 April 2005 (14.04.2005)

15 April 2004 (15.04.2004)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): G01N 1/18 and US Cl.: 422/50, 68.1, 71; 436/43, 57, 174, 176, 177

Applicant

TRANSFORM PHARMACEUTICALS, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US

Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Facsimile No. (703) 305-3230

Date of completion of this opinion

19 September 2005 (19.09.2005)

Authorized officer

B.J. Sines

Telephone No. (571) 272-1700

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US05/12686

**Box No. I Basis of this opinion**

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/12686

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims <u>1-26</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>1-26</u>	YES
	Claims <u>NONE</u>	NO
Industrial applicability (IA)	Claims <u>1-26</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and explanations:**

Claims 1 - 26 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the claimed methodology and associated system for analyzing cored solid samples.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/12686

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : G01N 1/18

US CL : 422/50, 68.1, 71; 436/43, 57, 174, 176, 177

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 422/50, 68.1, 71; 436/43, 57, 174, 176, 177

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EAST

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6,220,371 B1 (SHARMA et al.) 24 APRIL 2001.	1-26
A	US 6,003,620 A (SHARMA et al.) 21 DECEMBER 1999.	1-26
A	US 3,968,845 (CHAFFIN) 13 JULY 1976.	1-26
A	US 4,491,022 (DE LA CRUZ) 01 JANUARY 1985.	1-26
A	US 4,587,857 (BUSH) 13 MAY 1986.	1-26
A	US 3,887,020 (CHAFFIN) 03 JUNE 1975.	1-26

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:		"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A"	document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E"	earlier application or patent published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&"	document member of the same patent family
"O"	document referring to an oral disclosure, use, exhibition or other means		
"P"	document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search

19 September 2005 (19.09.2005)

Date of mailing of the international search report

28 OCT 2005

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